THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.17018 of 1997

Dated: 05.12.2006

Between

Marethi Mallubai and two others.

…Petitioners

And

The District Collector,
Khammam District, Khammam and another.

…Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.17018 of 1997

ORDER:

The writ petition is filed for issuance of a writ of *mandamus* declaring the action of the respondents in issuing pass book and trying to give possession of the land measuring Ac.8.10 guntas to some other persons when there is provision for inheritance of property, as illegal, arbitrary and violation of Government notification and fundamental rights, consequently direct the respondents not to transfer the land to the extent of Ac.8.10 guntas in Survey No.528 of Illendu of Khammam District and also not to dispossess the petitioners from the said land without following established procedure of law and to pass such other orders.

Several factual details are narrated in the affidavit filed in support of the writ petition.

In the light of the interim stay granted by this Court, I am of the considered opinion that no further orders need be passed in this writ petition especially in the light of the relief prayed for by the petitioners not to dispossess them from the land in question without following the due process of law.

In view of the same, the writ petition is disposed of directing the respondents not to resort to dispossession of the petitioners, if they are in possession of the property in question, unless and until due procedure is followed in this regard. There shall be no order as to costs.

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P.S.Narayana, J

Date: 05.12.2006

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